Received By: gmalaise

2007 DRAFTING REQUEST

Bill

Received: 01/19/2007

This file may be shown to any legislator: NO					Identical to LRB: By/Representing: Wavrunek Drafter: gmalaise Addl. Drafters:												
									Subject: Children - juvenile justice					Extra Copies:			
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FE Sent For:

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2007 DRAFTING REQUEST

Bill

Wanted: As time permits For: Administration-Budget 7-0370					Received By: gmalaise												
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2007 DRAFTING REQUEST

Bill

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2007 DRAFTING REQUEST

Bill

Received: 01/19/2007

Received: 01/19/2007				Received By: gmalaise				
Wanted: As time per	mits			Identical to LRB: By/Representing: Wavrunek Drafter: gmalaise				
For: Administration-	Budget 7-0370)						
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Submit via email: YE Requester's email: Carbon copy (CC:) to: Pre Topic: DOA:Wavrunek, I Topic: Youth diversion fundi	3B0392 -	· · · · · · · · · · · · · · · · · · ·						
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2007-09 Budget Bill Statutory Language Drafting Request

• Topic: FY08 youth diversion funding reductions

Tracking Code: BB 8392

SBO team: General Government and Justice

SBO analyst: Leah Wavrunek

• Phone: 267-0370

• Email: leah.wavrunek@wisconsin.gov

Agency acronym: OJA

Agency number: 505, program 06

· Priority (Low, Medium, High): High

The intent of this request is to add non-statutory language to apply an across the board cut to the penalty surcharge fund to one of its recipients, the youth diversion program, for FY2008 only. Funding amounts to youth diversion recipients are enumerated in statute.

The changes for FY08 w	ould be:	(3)(K) lopse \$41,0	, 0, 0
Milwaukee	\$6,000	3) 4- /	
Racine County	\$7,500	2 \$ H 200	
Kenosha County	\$7,500		
Ward 2, city of Racine	\$7,500	and the second of the second o	
Brown County	\$7,500		
Discretionary	\$5,000		
	And the second s		
	141,000		

The youth diversion program was moved from the Department of Corrections to the Office of Justice Assistance under LRB-0628/1.



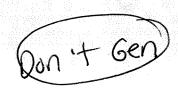
State of Misconsin 2007 - 2008 LEGISLATURE





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DOA:.....Wavrunek, BB0392 - Youth diversion funding reduction FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION



AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, DOC is required to allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in Milwaukee County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization located in ward Din the city of Racine to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and \$100,000 in each fiscal year to enter into a contract with a discretionary organization, for the diversion of youths from gang activities into productive activities (Youth Diversion Program).

This bill requires one of the organizations contracted with to provide those services to be located in ward two, instead of ward one, in the city of Racine. The bill also lapses to the general fund on the effective date of the bill \$41,000 in penalty surcharge receipts on court fines and forfeitures appropriated for the Youth Diversion Program and reduces the allocations for that program by \$6,000 for the organization providing services in Milwaukee County, \$7,500 for each of the organizations providing services in Racine County, Kenosha County, and Brown County, and \$5,000 for the discretionary organization.

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For further information see the $\it state$ fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 301.265 (1) of the statutes is amended to read:

301.265 (1) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$500,000 in each \$494,000 in fiscal year 2007–08 to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

History: 2005 a. 25 ss. 88k to 88, 2221g; Stats. 2005 s. 301.265.

SECTION 2. 301.265 (1) of the statutes, as affected by 2007 Wisconsin Act

(this act), is amended to read:

301.265 (1) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$494,000 in \$500,000 in each fiscal year 2007–08 to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Section 3. 301.265 (3) of the statutes is amended to read:

301.265 (3) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$150,000 in each \$142,500 in fiscal year 2007-08 to enter into a contract with an organization to provide services in Racine County, \$150,000 in each \$142,500 in fiscal year 2007-08 to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each \$142,500 in fiscal year 2007-08 to enter into a contract with an organization that is located in ward -1-2 in the city of Racine to provide services in Racine County, and \$150,000 in each \$142,500 in fiscal year 2007-08 to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.410 (3) (kj), the department shall allocate \$100,000 in each \$95,000 in fiscal year 2007-08 to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. The organization that is located in ward 1-2 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

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SECTION 4. 301.265 (3) of the statutes, as affected by 2007 Wisconsin Act (this act), is amended to read:

301.265 (3) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$142,500 in \$150,000 in each fiscal year 2007-08 to enter

into a contract with an organization to provide services in Racine County, \$142,500 in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization to provide services in Kenosha County, \$142,500 in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization that is located in ward 2 in the city of Racine to provide services in Racine County, and \$142,500 in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.410 (3) (kj), the department shall allocate \$95,000 in \$100,000 in each fiscal year 2007-08 to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. organization that is located in ward 2 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Section 9209. Fiscal changes; Corrections.

(1) YOUTH DIVERSION PROGRAM FUNDING LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection there is lapsed to the general fund \$41,000 from the appropriation account of the department of corrections under section 20.410 (3) (kj) of the statutes, as affected by the acts of 2007.

SECTION 9409. Effective dates; Corrections.

SECTION 9409

(1) YOUTH DIVERSION PROGRAM FUNDING LAPSE. The treatment of section 301.265

(1) (by Section *) and 301.265 (3) (by Section *) of the statutes takes effect on July 1, 2008.

(END)

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1595/1dn GMM:kjf:pg

January 23, 2007

Leah:

This draft will be reconciled with LRB-0628 when we compile the various drafts and reconcile conflicts.

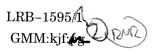
Another approach that would accomplish your intent would be to appropriate \$41,000 less in fiscal year 2007-08 rather than to appropriate the full amount then immediately lapse \$41,000 of it.

Gordon M. Malaise Senior Legislative Attorney Phone: (608) 266–9738

E-mail: gordon.malaise@legis.wisconsin.gov



State of Misconsin 2007 - 2008 LEGISLATURE



DOA:.....Wavrunek, BB0392 - Youth diversion funding reduction FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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the youth Diversion Program

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, DOC is required to allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in Milwaukee County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization located in ward one in the city of Racine to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and \$100,000 in each fiscal year to enter into a contract with a discretionary organization, for the diversion of youths from gang activities into productive activities (Youth Diversion Program).

This bill requires one of the organizations contracted with to provide those services to be located in ward two, instead of ward one, in the city of Racine. The bill also lapses to the general fund on the effective date of the bill \$41,000 in penalty surcharge receipts on court fines and forfeitures appropriated for the Youth Diversion Program and reduces the allocations for that program by \$6,000 for the organization providing services in Milwaukee County, \$7,500 for each of the organizations providing services in Racine County, Kenosha County, and Brown County, and \$5,000 for the discretionary organization.

1011.

in fiscal year 2001-88

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 301.265 (1) of the statutes is amended to read:

301.265 (1) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$500,000 in each \$494,000 in fiscal year 2007–08 to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s./16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 2. 301.265 (1) of the statutes, as affected by 2007 Wisconsin Act (this act), is amended to read:

301.265 (1) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$494,000 in \$500,000 in each fiscal year 2007–08 to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 3. 301.265 (3) of the statutes is amended to read:

SECTION 4. 301.265 (3) of the statutes, as affected by 2007 Wisconsin Act (this act), is amended to read:

301.265 (3) From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate \$142,500 in \$150,000 in each fiscal year 2007–08 to enter into a contract with an organization to provide services in Racine County, \$142,500

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in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization to provide services in Kenosha County, \$142,500 in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization that is located in ward 2 in the city of Racine to provide services in Racine County, and \$142,500 in \$150,000 in each fiscal year 2007-08 to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.410 (3)/(kj), the department shall allocate \$95,000 in \$100,000 in each fiscal year 2007-08 to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. organization that is located in ward 2 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 9209. Fiscal changes; Corrections.

(1) Youth diversion program funding lapse. Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection there is lapsed to the general fund \$41,000 from the appropriation account of the department of corrections under section 20.410 (3) (kj) of the statutes, as affected by the acts of 2007.

SECTION 9409. Effective dates; Corrections.

1 (1) YOUTH DIVERSION PROGRAM FUNDING LAPSE. The treatment of section 301.265

2 (1) (by Section 2) and 301.265 (3) (by Section 4) of the statutes takes effect on July

1, 2008.

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(END)

2007-2008 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

(INSERT 5-3)

Section 9109. Nonstatutory provisions; Corrections.

- (1) Youth diversion grant reductions.
- (a) Notwithstanding the amount specified under section 301.265 (1) of the statutes, as affected by this act, the department of corrections shall reduce the amount of money allocated under section 301.265 (1) of the statutes, as affected by this act, by \$6,000 in fiscal year 2007-08.
- (b) Notwithstanding the amounts specified under section 301.265 (3) of the statutes, as affected by this act, the department of corrections shall reduce the amount of money allocated for each of the 4 contracts that are funded with moneys from the appropriation accounts under section 20.410 (3) (d) and (kj) of the statutes, as affected by this act, by \$7,500 in fiscal year 2007–08 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.410 (3) (kj) of the statutes, as affected by this act, by \$5,000 in fiscal year 2007–08.

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State of Misconsin 2007 - 2008 LEGISLATURE



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DOA:.....Wavrunek, BB0392 - Youth diversion funding reduction

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, DOC is required to allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in Milwaukee County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization located in ward one in the city of Racine to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and \$100,000 in each fiscal year to enter into a contract with a discretionary organization, for the diversion of youths from gang activities into productive activities (Youth Diversion Program).

This bill requires DOC to reduce the allocations for the Youth Diversion Program by \$6,000 for the organization providing services in Milwaukee County, \$7,500 for each of the organizations providing services in Racine County, Kenosha County, and Brown County, and \$5,000 for the discretionary organization in fiscal year 2007–08.

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		- *** 1 *** *** **** ******************	and the second s	annoning and control of the second se	
	For further information sean appendix to this bill.	et the <i>state</i> fiscal	estimate, whi	ch will be printed as	3
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	enact as follows:	•	· · · · · · · · · · · · · · · · · · ·	Administration	1-13)
1	SECTION 9109. Nonstatu	tory provisions;	-	<i></i>	A Comment of the Comm
2	(1) Youth diversion gran	T REDUCTIONS.		(6.964 (8)(a)) /
3	(a) Notwithstanding the	amount specified	under section	Million -	e
D	statutes, as affected by this a	ct,\the departmen	nt of correction		e Varia
(5)	amount of money allocated und	ler section 301.26	5(1)(of the sta	tutes, as affected by	7
6	this act, by \$6,000 in fiscal year	r 2007-08.		(16.964 (8)(6)	
7	(b) Notwithstanding the	amounts specified	and the same of th)
8	statutes, as affected by this ac	ct, the departmen	cidminist of correction	shall reduce the)
- 9	amount of money allocated for e	each of the 4 contr	cacts that are f	funded with moneys	3
10	from the appropriation accounts	_	and a	l (kj) of the statutes	Nga nga nga pagasa
11	as affected by this act, by \$7,500) in fiscal year 200	7-08 and shal	l reduce the amount	
12	of money allocated for the con		nded only with	n moneys from the)
13	appropriation account under sec	20.505 (6) ction 20.410 (3) (kj) of the statute	s, as affected by this	3
14	act, by \$5,000 in fiscal year 200	V V			
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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1595/3dn GMM:cs:pg

January 30, 2007

Leah:

This draft reconciles LRB-0628/1 and LRB-1595/2. Both LRB-0628 and LRB-1595 should continue to appear in the compiled bill.

Gordon M. Malaise Senior Legislative Attorney Phone: (608) 266-9738

E-mail: gordon.malaise@legis.wisconsin.gov



State of Misconsin 2007 - 2008 LEGISLATURE

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DOA:......Wavrunek, BB0392 - Youth diversion funding reduction

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, DOC is required to allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in Milwaukee County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization located in ward one in the city of Racine to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and \$100,000 in each fiscal year to enter into a contract with a discretionary organization, for the diversion of youths from gang activities into productive activities (Youth Diversion Program).

This bill requires DOA to reduce the allocations for the Youth Diversion Program by \$6,000 for the organization providing services in Milwackee County, \$7,500 for each of the organizations providing services in Racine County, Kenosha County, and Brown County, and \$5,000 for the discretionary organization in fiscal

year 2007-08.

2007 - 2008 Legislature GMM:kif&cs:pg created Huse Stin For further information see the state fiscal estimate, which will be printed as an appendix to this bill The people of the state of Wisconsin, represented in senate and assembly, do enact\as follows: SECTION 9101. Nonstatutory provisions; Administration. (1) YOUTH DIVERSION GRANT REDUCTIONS. (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the statutes, as affected by this act, the office of justice assistance in the department of administration shall reduce the amount of money allocated under section 16.964 (8) (a) of the statutes, as affected by this act, by \$6,000 in fiscal year 2007-08. (b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the statutes, as affected by this act the office of justice assistance in the department of administration shall reduce the amount of money allocated for each of the 4 contracts that are funded with moneys from the appropriation accounts under section 20.505 (6) (d) of the statutes, as affected by this act, by \$7,500 in fiscal year 2007-08 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.505 (6) (kj) of the statutes, as affected by this act, by \$5,000 in fiscal year 2007-08. ****NOTE:/This is reconciled Section 9101 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0628 and LRB-1595. (END) NOSTE This/redial simply substitutes "created" for reflect that ss. 16. 964 (3) (a) and (6) (2) and (Ki) were (created

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DOA:.....Wavrunek, BB0392 - Youth diversion funding reduction

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, DOC is required to allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in Milwaukee County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization located in ward one in the city of Racine to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and \$100,000 in each fiscal year to enter into a contract with a discretionary organization, for the diversion of youths from gang activities into productive activities (Youth Diversion Program).

This bill requires DOA to reduce the allocations for the Youth Diversion Program by \$6,000 for the organization providing services in Milwaukee County, \$7,500 for each of the organizations providing services in Racine County, Kenosha County, and Brown County, and \$5,000 for the discretionary organization in fiscal year 2007–08.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 9101. Nonstatutory provisions; Administration.

- (1) Youth diversion grant reductions.
- (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the statutes, as affected by this act, the office of justice assistance in the department of administration shall reduce the amount of money allocated under section 16.964 (8) (a) of the statutes, as affected by this act, by \$6,000 in fiscal year 2007–08.
- (b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the statutes, as affected by this act, the office of justice assistance in the department of administration shall reduce the amount of money allocated for each of the 4 contracts that are funded with moneys from the appropriation accounts under section 20.505 (6) (d) of the statutes, as affected by this act, by \$7,500 in fiscal year 2007–08 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.505 (6) (kj) of the statutes, as affected by this act, by \$5,000 in fiscal year 2007–08.

 $\tt ****NOTE:$ This is reconciled Section 9101 (1). This Section has been affected by drafts with the following LRB numbers: LRB-0628 and LRB-1595.

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